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Advancement of women

Argentina, Burundi, Cambodia, Cape Verde, Chile, Indonesia, Mexico, Philippines and Sri Lanka: draft resolution

Violence against women migrant workers

The General Assembly,

Recalling all of its previous resolutions on violence against women migrant workers and those adopted by the Commission on the Status of Women, the Commission on Human Rights and the Commission on Crime Prevention and Criminal Justice, and the Declaration on the Elimination of Violence against Women,[1]

Reaffirming the outcome of the World Conference on Human Rights,[2] the International Conference on Population and Development,[3] the Fourth World Conference on Women[4] and the World Summit for Social Development[5] and their five-year reviews, specifically as the results pertain to women migrant workers,

Noting the various activities initiated by entities in the United Nations system, such as the expert group meeting organized by the International Research and Training Institute for the Advancement of Women and the International Organization for Migration, held at Geneva in August 1999, the international workshop on best practices concerning migrant workers and their families initiated by the International Organization for Migration, held at Santiago in June 2000, and the seminar on women immigrants organized by the United Nations Development Fund for Women and the Argentine National Institute against Discrimination,

[1] See resolution 48/104.
[2] A/CONF.157/24 (Part I), chap. III.
[3] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.
[4] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.
[5] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

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Xenophobia and Racism, held at Buenos Aires in July 2001, as well as other activities that continue to assess and alleviate the plight of women migrant workers,

Emphasizing the need for objective, comprehensive, broad-based information, possibly including a database for research and analysis, and a wide exchange of experience and lessons learned by individual Member States and civil society in the formulation of policies and concrete strategies to address the problem of violence against women migrant workers,

Encouraging the continuing participation of civil society in developing and implementing appropriate measures to support innovative partnerships among public agencies, non-governmental organizations and other members of civil society for combating violence against women migrant workers,

Noting the large numbers of women from developing countries and some countries with economies in transition who continue to venture forth to more affluent countries in search of a living for themselves and their families as a consequence of poverty, unemployment and other socio-economic conditions, and acknowledging the duty of the countries of origin to try to create conditions that provide employment and economic security for their citizens,

Expressing deep concern at the continuing reports of grave abuses and acts of violence committed against women migrant workers,

Realizing that the movement of a significant number of women migrant workers may be facilitated and made possible by means of fraudulent or irregular documentation and sham marriages with the object of migration, that this may be facilitated through, among others, the Internet, and that these women migrant workers are more vulnerable to abuse and exploitation,

Acknowledging the economic benefits that accrue to both the country of origin and the country of destination from the employment of women migrant workers,

Recognizing the importance of joint and collaborative approaches and strategies at the bilateral, regional, interregional and international levels in protecting and promoting the rights and welfare of women migrant workers,

Recognizing also the importance of exploring the link between migration and trafficking,

Encouraged by some measures adopted by some countries of destination to alleviate the plight of women migrant workers residing in their areas of jurisdiction,

Underlining the important role of relevant United Nations treaty bodies in monitoring the implementation of human rights conventions and the relevant special procedures, within their respective mandates, in addressing the problem of violence against women migrant workers and in protecting and promoting their rights and welfare,

1. *Takes note* of the report of the Secretary-General;[6]

2. *Also takes note* of the reports of the Special Rapporteur of the Commission on Human Rights on the human rights of migrants[7] and of the Special Rapporteur of the Commission on Human Rights on violence against women, its

[6] A/58/161.

[7] E/CN.4/2003/85.

causes and consequences,[8] with regard to violence against women migrant workers, and encourages them to continue to address the issue of violence against women migrant workers and their human rights, in particular the problem of gender-based violence and of discrimination, and trafficking in women;

3. *Acknowledges with appreciation* the entry into force of the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families on 1 July 2003;

4. *Requests* all Governments to continue to cooperate fully with both Special Rapporteurs in the performance of their tasks and mandated duties and to furnish all information requested, including by reacting promptly to the urgent appeals of the Special Rapporteurs;

5. *Encourages* Governments, in particular those of the countries of origin and destination, to make available to the Special Rapporteur on the human rights of migrants information on violence against women migrant workers, with a view to requesting the Special Rapporteur to recommend concrete measures and actions to address the problem;

6. *Also encourages* Governments to give serious consideration to inviting the Special Rapporteur to visit their countries so as to enable her to fulfil the mandate effectively;

7. *Urges* concerned Governments, in particular those of the countries of origin and destination, to strengthen further their national efforts to protect and promote the rights and welfare of women migrant workers, including through sustained bilateral, regional, interregional and international cooperation, by developing strategies and joint action and taking into account the innovative approaches and experiences of individual Member States, and to establish and maintain continuing dialogues to facilitate the exchange of information;

8. *Also urges* concerned Governments, in particular those of the countries of origin and destination, to support and allocate appropriate resources for programmes aimed at strengthening preventive action, in particular information for target groups, education and campaigns to increase public awareness of this issue at the national and grass-roots levels, in cooperation with non-governmental organizations;

9. *Notes with appreciation* the adoption by Member States, including countries of origin, transit and destination, of measures to inform women migrant workers of their rights and the benefits to which they are entitled, and encourages other Member States to adopt appropriate measures in this regard;

10. *Calls upon* concerned Governments, in particular those of the countries of origin and destination, if they have not done so, to put in place penal and criminal sanctions to punish perpetrators of violence against women migrant workers and, to the extent possible, to provide, and to encourage non-governmental organizations to provide, victims of violence with the full range of immediate assistance and protection, such as counselling, legal and consular assistance, temporary shelter and other measures that will allow them to be present during the judicial process, as well as to establish reintegration and rehabilitation schemes for returning women migrant workers to their countries of origin;

[8] E/CN.4/2003/75/Add.1.

11. *Encourages* concerned Governments, in particular those of the countries of origin and destination, to support and, if they have not done so, to formulate and implement training programmes for their law enforcers, prosecutors and service providers with a view to instilling among those public sector workers the necessary skills and attitude to ensure the delivery of proper and professional interventions for women migrant workers who are subjected to abuse and violence;

12. *Also encourages* concerned Governments, in particular those of the countries of origin and destination, to adopt measures or strengthen existing ones to regulate the recruitment and deployment of women migrant workers, and to consider the adoption of appropriate legal measures against intermediaries who deliberately encourage the clandestine movement of workers and who exploit women migrant workers;

13. *Invites* Governments to identify the causes of undocumented migration and its economic, social and demographic impact, as well as its implications for the formulation and application of social, economic and migration policies, including those relating to women migrant workers;

14. *Encourages* concerned Governments, in particular those of the countries of origin, transit and destination, to avail themselves of the expertise of the United Nations, including the Statistics Division of the Secretariat and other relevant bodies, such as the International Research and Training Institute for the Advancement of Women, to develop appropriate national data-collection methodologies that will generate comparable data on violence against women migrant workers as bases for research and analyses of the subject;

15. *Encourages* Member States to consider signing and ratifying or acceding to relevant International Labour Organization conventions and to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, as well as the Slavery Convention of 1926;

16. *Welcomes* the adoption by the General Assembly of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, and encourages Governments to consider signing and ratifying or acceding to the Protocols;

17. *Encourages* the Committee on the Elimination of Discrimination against Women to consider developing a general recommendation on the situation of women migrant workers;

18. *Requests* the Secretary-General to submit to the General Assembly at its sixtieth session a report on the problem of violence against women migrant workers and on the implementation of the present resolution, taking into account updated information from the organizations of the United Nations system, in particular the International Labour Organization, the United Nations Development Programme, the United Nations Development Fund for Women and the International Research and Training Institute for the Advancement of Women, as well as the International Organization for Migration and other relevant sources, including non-governmental organizations.